

Notice of Allowability

Application No.

10/774,914

Examiner

Jaworski Francis J.

Applicant(s)

SAKURAI ET AL.

Art Unit

3768

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amdt TD 10/2/06.
2. ☒ The allowed claim(s) is/are 4 - 12.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☒ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).


* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 6-2-06
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.


Francis J. Jaworski
Primary Examiner

Examiner's Amendment

The application has been amended as follows:

On page 1 of the specification as amended by Pre-amendment filed 2/9/04, in line 2 after " April 16, 2003 " has been added -- and now U.S. Patent No. 6,761,690 --.

Reasons for Allowance

The following is an examiner's statement of reasons for allowance:

Sakurai US4965532 of record is directed in Fig. 30 a microprocessor control of amplitude via digital value conversion in D/A converter 307.

Kellogg et al US5897569 is directed to use of a programmable digital signal processor 166 to provide feedback drive signals or a switch-based override control to the phase-locked loop which drives the system.

Honda US6066135 is directed to digital conversion of current amplitude for reference comparison control, see Fig. 12.

Feine US6503081 is directed inter alia to conducting frequency sweep using PROM-stored high/low frequency and step size values.

Friedman et al US6626926 is directed to use of a DSP 60 to implement a resonance sweep algorithm controlling phase and includes a digital synthesis circuit for deriving amplitude control signals in conjunction therewith. Fig. 3B shows a handpiece EEPROM however there is no disclosure how such relates to the system in terms of for example basic validating or usage information.

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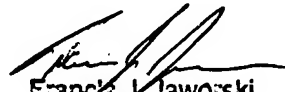
None of the art of record alone or in combination teaches or suggestsinter alia a data transfer circuit for providing a digital frequency initial data of a particular handpiece and arithmetically computes based on phase comparison values and the digital data in the manner claimed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication should be directed to Jaworski Francis J. at telephone number 571-272-4738.

FJJ:fjj

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Francis J. Jaworski
Primary Examiner